



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1630

school buses; student transportation; vehicles

Purpose

Authorizes a school district, charter school or contracted private entity to use a motor vehicle designed to carry at least 11 and up to 15 passengers (11-15 passenger vehicle) to transport students on a regularly scheduled basis in accordance with safety rules prescribed by the Department of Public Safety (DPS) as outlined. Increases the daily route mileage limit to 30 miles each way and modifies the School Bus Advisory Council.

Background

The School Bus Advisory Council consists of nine members appointed by the Governor. The School Bus Advisory Council must advise DPS in developing rules relating to school bus safety, school bus driver certification, school bus driver training and standards for the design and equipment, periodic inspection and maintenance and procedures for the operation of school buses. (A.R.S. §§ [15-922](#); [28-900](#); and [28-3053](#)).

A school district is eligible to receive Transportation Support Level (TSL) funding for transporting students to or from home or school on a regularly scheduled basis. TSL is calculated for each school district based on approved daily route mileage, the number of days the school is in session and the number of eligible students transported in the fiscal year prior to the current year ([A.R.S. § 15-945](#)).

If increasing the daily route mileage limit for receiving state aid and including route mileage for 11-15 passenger vehicles and riders transported via 11-15 passenger vehicles in TSL calculations results in an increase in TSL costs, there may be an increase in Basic State Aid costs to the state General Fund.

Provisions

School Transportation

1. Authorizes a school district, charter school or a contracted privately-owned and operated entity in Arizona to use an 11-15 passenger vehicle to transport students to or from home or school on a regularly scheduled basis in accordance with safety rules adopted by DPS.
2. Specifies that a school district, charter school or contracted entity may use a motor vehicle that is designed as a type A school bus or type B school bus, as defined by DPS, to carry at least 11 and up to 15 passengers to transport students to or from home or school on a regularly scheduled basis.
3. Increases, from 20 miles to 30 miles, the limit, for receiving state aid, on daily route mileage each way to and from the school of attendance or to and from a pickup point for eligible students who reside in nonadjacent school districts.

4. Authorizes a school district to include route mileage for an 11-15 passenger vehicle and the number of riders in calculating TSL funding for transporting eligible students.
5. Prohibits the Arizona Department of Education from denying transportation funding or state aid for a school district that transports pupils via 11-15 passenger vehicles.
6. Requires DPS to adopt rules that establish minimum standards for the certification of 11-15 passenger vehicle drivers and applies the requirements for the minimum school bus driver certification standards to the minimum standards for 11-15 passenger vehicle drivers.
7. Excludes, from the requirement to possess or obtain a commercial driver's license (CDL), an applicant to drive an 11-15 passenger vehicle or an 11-15 passenger type A school bus or type B school bus, if a CDL is not required by state or federal law to operate the vehicle based on the vehicle's gross vehicle weight rating or occupancy.
8. Prohibits a person from operating an 11-15 passenger vehicle to transport school children unless the person possesses:
 - a) the appropriate license class for the size of the vehicle;
 - b) a school bus driver certificate issued by the DPS; and
 - c) a valid fingerprint clearance card.
9. Authorizes a governing board to purchase public liability and property damage insurance to cover 11-15 passenger vehicle operators and allows the governing board to require an operator to carry public liability insurance as prescribed for a school bus driver.
10. Requires a school's annual report card to include the total number of specified incidents that occurred at 11-15 passenger vehicle stops and on 11-15 passenger vehicles that required the contact of a law enforcement officer as prescribed for school bus incidents.
11. Authorizes DPS school transportation rules to include minimum standards for the:
 - a) design and equipment of 11-15 passenger vehicles that are substantially different from the minimum standards for school buses designed for at least 16 passengers;
 - b) periodic inspection and maintenance of 11-15 passenger vehicles;
 - c) establishment of procedures for the operation of 11-15 passenger vehicles; and
 - d) to allow for a variety of vehicles to be used to meet the needs of students and systems of varying sizes and locations.
12. Requires DPS school transportation rules to allow for a variety of vehicles to be used to meet the needs of students and systems of varying sizes and locations.
13. Adds charter schools to entities with which DPS must cooperate to provide school transportation safety and training courses.
14. Specifies that a charter school officer or employee who violates any of the school transportation rules or fails to include the obligation to comply with the rules in a contract executed on behalf of the charter school is guilty of misconduct and subject to removal from office or employment.
15. Applies breach of contract procedures for school district school bus drivers to:
 - a) school bus drivers contracted with a charter school; and
 - b) 11-15 passenger vehicle drivers contracted with a school district or charter school.

School Transportation Advisory Council

16. Renames the *School Bus Advisory Council* as the *School Transportation Advisory Council*.
17. Requires the School Transportation Advisory Council to meet at least twice, rather than once, annually.
18. Requires the School Transportation Advisory Council to advise and consult with:
 - a) DPS regarding the certification and safety of 11-15 passenger vehicles;
 - b) DPS regarding modernizing and innovating K-12 student transportation to reduce transportation barriers for students, increase access to public school options and provide more transportation options for school districts and charter schools, including electric transportation; and
 - c) the Arizona Department of Administration regarding purchasing strategies to maximize transportation resources and finding efficiencies to modernize and properly size transportation vehicles and systems.
19. Increases the Student Transportation Advisory Council membership by removing a member from a school district with a student count of at least 10,000 and adding:
 - a) a member representing the State Board for Charter Schools;
 - b) a member from a charter school with a student count of fewer than 600;
 - c) a member from a charter school with a student count of more than 600;
 - d) a member who has expertise in electric vehicle fleets, electric vehicle charging infrastructure or charging management services; and
 - e) two public members.
20. Modifies existing Student Transportation Advisory Council membership requirements by:
 - a) allowing a member to represent a private sector student transportation service provider in lieu of a member representing a private sector school bus service provider;
 - b) requiring the member from a school district with a student count of fewer than 600 to be in a county with fewer than 300,000 persons; and
 - c) requiring a member to be from a school district with a student count of more than 3,000, rather than between 3,000 and 10,000.

Miscellaneous

21. Makes technical and conforming changes.
22. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Removes the authorization for DPS to develop guidance for using vehicles designed to carry 10 passengers or fewer to transport students to or from home or school on a regularly scheduled basis.
2. Adds a member to the Student Transportation Advisory Council who has expertise in electric vehicle fleets, electric vehicle charging infrastructure or charging management services.

3. Specifies that the Student Transportation Advisory Council's responsibility to consult with DPS relating to providing student transportation options includes electric transportation.
4. Makes conforming changes.

Amendments Adopted by Committee of the Whole

1. Prohibits a person from operating an 11-15 passenger vehicle to transport school children unless the person possesses:
 - a) the appropriate license class for the size of the vehicle;
 - b) a school bus certificate issued by DPS; and
 - c) a valid fingerprint clearance card.
2. Specifies that the use of an 11-15 passenger vehicle to transport students to or from home or school on a regularly scheduled basis by a school district or charter school must be in accordance with safety rules and regulations adopted by DPS.

Amendments Adopted by the House of Representatives

- Specifies that a motor vehicle that is designed as a type A, B, C or D school bus to carry at least 11 and up to 15 passengers may be used to transport students to or from home or school on a regularly scheduled basis.

Amendments Adopted by Conference Committee

1. Removes a motor vehicle designed as a type C or D school bus to carry 11-15 passengers from the vehicles authorized to transport students between home and school on a regular basis under the DPS rules for 11-15 passenger vehicles.
2. Clarifies that 11-15 passenger school buses authorized to transport students between home and school on a regular basis must meet the DPS definitions of *type A school bus* or *type B school bus*.
3. Applies the exclusion of an applicant to drive an 11-15 passenger vehicle or a type A school bus or type B school bus designed to carry 11-15 passengers from the CDL requirement only if state or federal law do not require a CDL to operate the vehicle based on the vehicle's gross vehicle weight rating or occupancy.
4. Makes technical and conforming changes.

Senate Action

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| ED | 2/15/22 | DPA | 5-3-0 |
| 3 rd Read | 3/3/22 | | 17-10-3 |

House Action

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| ED | 3/22/22 | DP | 6-3-0-1 |
| 3 rd Read | 4/25/22 | | 37-20-3 |